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UTAH BULLETIN UT360-08-04

SUBJECT: PER – HOURS OF DUTY

Purpose: To clarify existing policy and provide new policy on work schedules and hours of duty.

Expiration Date: September 30, 2008

Action Due: March 14, 2008

Background: The Natural Resources Conservation Service (NRCS) endeavors to establish a family friendly workplace which enables NRCS to meet its needs while allowing employees sufficient flexibility to meet both work and personal needs. To help reach this goal, the following information outlines new policy and provides clarification on hours of duty. Brief explanations of work schedules available to employees, in accordance with General Manual Title 360 Part 427, are also provided.

WORK SCHEDULES

Flexitour

Most NRCS-Utah employees are currently on the Flexitour schedule. Employees must work 8 hours a day, 5 days a week. Employees are responsible for choosing a biweekly schedule between the hours of 6 a.m. and 6 p.m. This schedule allows employees the flexibility of varying their starting and ending times by 30 minutes with **prior supervisory approval** without charge to leave, so long as the employee works 8 hours. This means employees will need to call their supervisor if they will be late. Employees on this schedule are eligible to earn credit hours, overtime, and compensatory time with prior supervisory approval.

Traditional Basic

The traditional basic 40-hour workweek is scheduled Monday through Friday, when possible. The two days outside the workweek (days off) are consecutive. Working hours are the same each day, meaning the employee starts and stops work at the same time everyday. Breaks in working hours of more than 1 hour may not be regularly scheduled in a basic workday.

Employees on this work schedule cannot earn credit hours, but they are eligible to earn overtime and compensatory time with prior supervisory approval.

5-4/9 Bi-Weekly Schedule

The 5-4/9 is a fixed work schedule that has a basic biweekly work requirement of 9-hour days during 8 days of the biweekly pay period and 8 hours on a 9th day to complete the 80-hour biweekly work requirement. The 8-hour day can be any pre-scheduled workday in the pay period and must cover the core hours. The starting time each day does not vary. The working hours in each day in the basic workweek are the same, with the exception of the 9th day. A non-workday must be scheduled in the same pay period as the nine workdays.

When a holiday falls on a regularly scheduled non-work day, employees are entitled to an “in-lieu of” holiday. An “in-lieu of” holiday is a day that is treated as a holiday for pay and leave purposes (for further details see General Manual, Title 360 Part 427 Subpart D). When a holiday falls on a scheduled 9-hour workday, the employee is entitled to 9 hours of holiday pay. Similarly, when an employee takes leave on a scheduled 9-hour workday, the employee must use 9 hours of leave.

Employees on this work schedule cannot earn credit hours, but are eligible to earn overtime and compensatory time with prior supervisory approval. When the employee is scheduled to attend training that will require s/he work on a scheduled non-workday, the employee’s work schedule should be changed to the Traditional Basic work schedule in advance of the effective pay period. The work schedule may be changed back to the 5-4/9 work schedule the following pay period.

4-Day Workweeks

This work schedule is commonly called the “4-10” work schedule. The basic work requirement consists of a 10-hour daily work requirement, a 40-hour weekly work requirement, and an 80-hour biweekly work requirement. Employees wishing to have this work schedule must obtain approval from the State Conservationist in addition to obtaining supervisory approval.

When a holiday falls on a regularly scheduled non-work day, employees are entitled to an “in-lieu of” holiday. An “in-lieu of” holiday is a day that is treated as a holiday for pay and leave purposes (for further details see General Manual, Title 360 Part 427 Subpart D). When a holiday falls on a scheduled 10-hour workday, the employee is entitled to 10 hours of holiday pay. Similarly, when an employee takes leave on a scheduled 10-hour workday, the employee must use 10 hours of leave.

Employees on this work schedule cannot earn credit hours, but are eligible to earn overtime and compensatory time with prior supervisory approval. When the employee is scheduled to attend

training that will require s/he work on a scheduled non-workday, the employee's work schedule should be changed to the Traditional Basic work schedule in advance of the effective pay period. The work schedule may be changed back to the 4-10 work schedule the following pay period.

Other Work Schedules

Work schedules not listed in this bulletin are not to be utilized by NRCS Utah employees.

Changing a Work Schedule

The employee's approved work schedule will remain in effect until the employee submits a new schedule request in writing to the supervisor and receives approval. Employees must exhaust their credit leave prior to changing from the Flexitour work schedule. Change requests based on holidays or "in-lieu of" holidays are not permitted. Changes must be made in advance of the effective pay period. Employees are to change their WebTCAS profile to reflect the new work schedule.

NEW POLICY

New policy is provided below. A supplement to the Utah General Manual will make these changes permanent.

Flexitour Sign In/Out Record

All employees on the Flexitour work schedule are hereby mandated to input the actual hours worked in the WebTCAS Timesheet in the section titled "Actual/Extra Clock Hours." Additionally, NRCS-Utah is re-implementing the "Flexitour Sign In/Out Record." **Effective immediately**, all employees on the Flexitour schedule are mandated to enter the time they arrive and leave work on a sign-in record. Employees need to sign the record in real time (i.e. sign-in the moment they arrive and sign-out as they leave). Time should be indicated in quarter-hour increments. The record is to be signed in ink.

This record will be located in a central location in each office and will serve as a type of internal control. The employee in the lead position in each office will be responsible for ensuring this record is in place and used twice daily by all employees on the flexitour shcedule. Additionally, the lead employee in each office should select which clock should be used as a basis for recording time, place this clock in a central location near the sign in/out record, and inform all employees in the office which clock to use.

Employees do not need to sign in and out from their lunch period or breaks, but they do need to indicate the length of their lunch, in minutes, on the record when they sign-out for the day. At the end of the pay period, the record will be mailed to and maintained by the timekeeper in accordance with the General Manual Records Guide. The Flexitour Sign In/Out Record is attached.

Work Schedule Approval

As stated in the General Manual, all employees are required to submit a work schedule request to their supervisor in writing, and obtain written approval from the supervisor to use the requested work schedule. To meet the requirements set forth in the General Manual, all Utah employees are to complete the attached form and submit it to their supervisor for approval.

Supervisors must approve or disapprove the biweekly schedule submitted by the employee. When a supervisor cannot approve an employee's request because of office coverage or other reasons such as unique requirements of the position, etc., the supervisor will meet with the employee to reach a mutually acceptable schedule. If an acceptable compromise cannot be reached, the supervisor will make a final determination concerning the work schedule. After discussing it with the employee, the supervisor may make changes to an employee's work schedule to ensure adequate coverage or may make changes due to workload, training needs, attendance at meetings, travel, an operational exigency, etc.

CLARIFICATIONS

Lunch Period

Employees are responsible for choosing a 30 minute to 1 hour lunch period (employees do not get paid for their lunch period) within the established lunch band (11:00 a.m. – 2:00 p.m.). The latest an employee can report back from lunch is 2:00 p.m. The established lunch period must be on a regular and reoccurring basis. Employees are to be punctual when returning from lunch.

An employee who works more than 6 hours in a day must take a lunch period. **Employees may not skip their lunch period to shorten their workday.** Supervisors do not have authority to allow employees to skip lunch period, nor do they have the authority to require employees to skip their lunch period. With prior supervisory approval, employees on the Flexitour schedule may expand their lunch period from 30 minutes up to 1 hour within the established lunch band and make up the time at the end of the day without charge to leave. The lunch period for employees on all other work schedules is fixed (the start and end times of the lunch period are not flexible).

Credit Hours

Employees on the Flexitour work schedule are eligible to earn credit hours to complete project work. Employees must have **prior supervisory approval** to earn credit hours. This is not new policy, but a clarification of existing policy as provided in National Bulletin N.B.360.7.4 dated December 19, 2006. Approval will be granted on a case-by-case basis unless a supervisor chooses to give blanket approval to his/her staff. If approved, employees may earn up to two credit hours per day between the hours of 6 a.m. and 6 p.m., Monday through Friday only, up to a maximum of 24 credit hours. Employees on all other work schedules may not earn credit hours. Employees must write an explanation on their WebTCAS timesheet indicating what **specific project work** was accomplished for each day credit hours are earned.

Core Hours

All full-time employees must be present during the core hours of 9:00 a.m. to 3:00 p.m. (except for their lunch break) or must be approved for leave during the portion of core hours they are absent.

OTHER INFORMATION

Part-Time Employees

The Traditional and Flexitour work schedules for part-time employees have a basic workweek requirement of 16 to 32 hours per week. Part-time employees on the 5-4/9 or 4-10 work schedules have a basic work requirement of between 32 and 64 hours per pay period that is scheduled by an agency for less than 10 workdays and that may require an employee to work more than 8 hours in a day.

Part-time employees using the 4-10 work schedule must have a pre-scheduled number of hours and days to work in the administrative workweek that do not exceed 10 hours in a day or cover more than four days of the workweek.

Part-time employees on the 5-4/9 or 4-10 work schedule are not entitled to an "in-lieu of" holiday when the holiday falls on a scheduled non-workday.

Intermittent Employees

Intermittent employees are not authorized to accrue leave, receive paid holidays, or earn credit hours. These employees are the only employees who are not required to have a scheduled tour-of-duty, i.e. beginning and ending times.

Student Employees

The basic workweek requirement is not applicable to employees in the Student Educational Employment Program (SCEPs or STEPS). Student employees do not have a minimum number of hours in their workweek, but they must still adhere to an approved work schedule. Students need to submit a new work schedule request each time their hours change.

Action Required

The attached *Employee Work Schedule/Tour of Duty* form is to be completed by each employee and submitted to their supervisor for required signatures. Once approved, supervisors are to send the original form to the employee's timekeeper no later than **March 14, 2008**. Supervisors and employees should maintain copies for their records.

Reference: [General Manual: Title 360 – Human Resources: Part 427 – NRCS Hours of Duty](#)

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TODD C. NIELSON
State Administrative Officer

Attachments

Flexitour sign in/out record
Employee Work Schedule/Tour of Duty

Distribution: E